IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 800 of 2005 (M/B)

Shohan Lal Gupta S/o Sri Jhabbu Lal,
R/o Lohia Head, Tehsil Khatima,
District Udham Singh Nagar. …….. Petitioner

Versus

1. Union of India,
   through its Secretary, Post & Telegraphs,
   New Delhi.
2. The D.D.M. (PLI) U.P. Circle,
   Hajratganj, Lucknow.
3. Asstt. Director (PLI),
   O/o The Chief Post Master General,
   U.A. Circle, Dehradun.
4. Inspector, Post & Telegraph Department,
   Haldwani, Nainital.
5. Post Master, Post & Telegraph Department,
   P.O. Lohiahead, Khatima,
   District Udham Singh Nagar. …… Respondents

Mr. B.S. Khanka, Advocate for the petitioner.
Mr. Arvind Vashishth, Assistant Solicitor General for the respondents.

JUDGMENT

Coram: Hon'ble Rajeev Gupta, C.J.
Hon'ble Prafulla C. Pant, J.

RAJEEV GUPTA, C. J. (Oral)

Mr. B.S. Khanka, Advocate for the petitioner.

Mr. Arvind Vashishth, Assistant Solicitor General for the respondents.

The are heard.

2. Petitioner Shohan Lal Gupta has filed this writ petition for the following reliefs:

> "I. Issue a writ, order or direction in the nature of mandamus commanding and directing the respondents to clear the payment of post office insurance policy to the petitioner.

II. Issue any other writ order or direction which this Hon'ble court may deem, fit and proper in the circumstances of the Case.

III. Award the cost of petition."

3. The respondents have filed their counter affidavit. Para 5 of the said counter affidavit reads as follows:

> "5. That after the receipt of the bond of indemnity duly completed, final maturity amount of Rs. 91,660/- was sanctioned on 12.08.2005 and the same has been paid to the Petitioner on 23.8.2005."

4. Thus, the relief sought by the petitioner in the writ petition has already been granted by the respondents by making payment of the final maturity amount of the petitioner's policy rendering the writ petition infructuous.

5. The writ petition, therefore, is dismissed as anfractuous.

6. Consequently, CLMA No. 4764 of 2005 also stands dismissed as infructuous.

(Prafulla C. Pant, J.) 21.07.2006

(Rajeev Gupta, C. J.) 21.07.2006

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